



**Liquor and Tobacco Advisory Board Minutes
Tuesday, July 21, 2020
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
Via video conference on Cisco Webex
425 East State Street
Rockford, IL 61104
779-348-7163**

Present:

LTAB Members:

Dan Roszkowski
Craig Sockwell
Jennifer Smith
Kim Johnsen
Maurice Redd
Tom Fabiano
Jennifer Spencer

Absent:

Staff:

Lafakeria Vaughn – Assistant City Attorney
Chad Baker – Assistant City Attorney
Leisha Kury- Administrative Assistant
Scott Capovilla – Planning and Zoning Manager
Jeremy Carter – Traffic Engineer
Glenn Trommels - Information Technology Director
Mike Rotolo- Fire Prevention Coordinator

Others:

Kathy Berg- Court Stenographer
Applicants and Interested Parties

Dan Roszkowski, Chair of the LTAB, stated that this meeting was being held remotely because he found that an in-person meeting is not practical or prudent because of the disaster declared by Governor Pritzker on June 26, 2020. Since this is a public hearing with an unknown number of attendees, which could be more than 50 people, an in-person meeting at City Hall is not feasible at this time.

The same format and rules of procedure given by Lafakeria Vaughn at the ZBA meeting were followed for this virtual meeting.

Due to the COVID-19 pandemic and social distancing restrictions, this public hearing for the Liquor & Tobacco Advisory Board was held by video conference, using Cisco Webex. The audio was streamed at City Hall in Council Chambers and on the City's website.

As the host, she will be monitoring microphones and attendees during the meeting. Notices and agendas were posted and sent about this meeting which informed interested parties about the ways they could submit comments and questions regarding agenda items. This included: written public comments being submitted by 5:00 pm, on July 21st to Attorney Vaughn's email, or the City's payment drop box located at City Hall or coming to City Hall to listen to the meeting and present any comments in Council Chambers.

The agenda and staff recommendation packets were also posted on the City's website. All applicants on the conference had previously consented to proceeding with the virtual hearing. Some additional rules for the meeting:

- Please speak clearly and not too fast so the court stenographer can make an accurate record.
- Please be sure to identify yourself before speaking.
- Applicants and interested parties, after being sworn in by the Chair, please state and spell your name for the record.
- If you're not speaking and I fail to mute you, please mute yourself so that the meeting is not disrupted.
- No person will be allowed to speak unless they are first recognized by the Chair.
- All votes will be by roll-call.
- Since we're on video /audio, please refer to exhibits or page numbers, if applicable. All exhibits should have been provided prior to the meeting and within the recommendation packet. Due to this being a virtual hearing, applicants if you have any new exhibits that you want considered by the Board for your request, you may request a layover. Those exhibits will also need to be provided to Staff and the public as part of the complete packet.
- If you are having any technical issues, please use the chat box function and send a message directly to me "Lafakeria" or use the raise your hand function.
- Applicants, should you have technical issues or decide to lay your item over instead for whatever reason, please let the Board know when your item is called.
- LTAB applicants were given the option to be put "in the lobby" on the conference. This means that they would not be able hear or see anything during the ZBA meeting.

Lastly, the procedure would be as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chair will then ask if there are any Objectors or Interested Parties comments to be read into the record or anyone at City Hall. Individuals at City Hall will be given the opportunity to speak and they will be sworn in. Then, Legal will read any written comments into the record that were received in advance.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City Hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Codes & Regulations meeting will be Monday, July 27, 2020 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this

process is the City Council. That vote is tentatively scheduled on Monday, August 3, 2020. If the item is laid over at the LTAB meeting, the next meeting is Tuesday, August 18, 2020. If for any reason the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 6:03 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the June 16, 2020 meeting minutes. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0.

20-LTAB-070

Applicant
Ward 3

1706 Rural Street

Samer Alsagaf / Corner Mini Mart, LLC dba Corner Mini Mart
The sale of tobacco products in conjunction with a grocery and convenience store in a C-2, Limited Commercial Zoning District
Laid over from June

A **MOTION** was made by Tom Fabiano to **LAYOVER** the sale of tobacco products in conjunction with a grocery and convenience store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0.

20-LTAB-071

Applicant
Ward 8

4419 Charles Street

Dimitrios Kalaitzakis / Zipcode, Inc. dba Pink Pony Pizza and Pub
The sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming in a C-2, Limited Commercial Zoning District
Laid over from June

A **MOTION** was made by Tom Fabiano to **LAYOVER** the sale of liquor by the drink in conjunction with a restaurant, tavern and video gaming in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0.

20-LTAB-073

Applicant
Ward 9

3121 North Rockton Avenue

Ali Abnihmoud dba Marathon Gas
The sale of tobacco products in conjunction with a convenience store and gas station in a C-2, Limited Commercial Zoning District

The applicant, Ali Abnihmoud, was present with his representative Hane Razik. The subject property is located on the southeast corner of the North Rockton Avenue and Paradise Boulevard intersection. The parcel is surrounded by commercial and residential uses. Mr. Razik stated 3121 North Rockton has been a gas station for many years. Mr. Abnihmoud bought the business back in April and has a ten-year lease. Mr. Abnihmoud wants to continue to provide the same business model including the sale of tobacco products.

Attorney Lafakeria Vaughn inquired whether the applicant reviewed the staff recommendation and agreed with the conditions. Mr. Razik responded that he did review and agreed with all the conditions.

Staff Recommendation is for Approval with sixteen (16) conditions. No Objectors or Interested parties were present. No emails were read into the record.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of tobacco products in conjunction with a convenience store and gas station in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. The sale of tobacco shall be limited to the submitted plan (Exhibit E).
4. Installation of landscaping material per the submitted site plan.
5. Removal of the cedar blocks and installation of concrete curbing as required.
6. Removal of the old public telephone structure and the poles around it.
7. Submittal of a revised interior floor plan for Staff's review and approval.
8. The hours and days of operation will be from 6:00 A.M. to 11:00 P.M., Monday through Sunday.
9. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. Window display signage is limited to 20% of window area.
12. There shall not be temporary exterior signage.
13. The windows shall not be covered with bars or other devices that block the windows.
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to issuance of the license.
16. All conditions must be met prior to establishment of use.

20-LTAB-074

Applicant
Ward 11

1312 7th Street

Safa A. Quraishi dba M & R Mini Market

The sale of tobacco products in conjunction with a convenience store
in a C-2, Limited Commercial Zoning District

The applicant, Safa Quraishi, was present along with his attorney, Tim Whitham. The subject property is located on the southeast corner of 7th Street and 12th Avenue. Attorney Whitham stated he would like to answer some questions regarding the staff report. He explained that Mr. Quraishi is renovating the property at 1312 7th Street. Mr. Quraishi held a tobacco license previously, where he operated a mini market at 2901 11th Street. His goal is to essentially transfer the tobacco license to the current location on 7th Street. Attorney Whitham said Mr. Quraishi never had any violations while having the tobacco license for several years. Attorney Whitham referred the Board to page 5 of the staff report, showing the aerial photograph with the blue outline of the property. Exhibit C shows the retail center with a tan building located in the middle, facing 7th street which would be the convenience store with grocery type items. The tobacco products will be placed behind the counter.

Staff Recommendation is for Denial. No Objectors or Interested parties were present. No emails were read into the record.

Jennifer Smith asked if they were to approve this tobacco license, would Mr. Quraishi be able to submit a site plan. Attorney Whitham responded the property doesn't have landscaping because their building is located right up to the sidewalk, but they could provide staff with photographic pictures if necessary.

Maurice Redd asked why the applicant Mr. Quraishi was not responding to calls from Staff. Attorney Whitham replied his client was not ignoring the calls, it was that Mr. Quraishi changed his number and was having computer issues at the time.

Tom Fabiano asked if the applicant has previously operated a mini market business. Attorney Whitham stated he did. The reason Mr. Quraishi must reapply is because he cannot transfer the license from 11th Street to the 7th street location.

Mr. Redd inquired why staff was recommending denial. Scott Capovilla stated staff was recommending denial because the applicant was not responding to staff calls and emails for additional information. Mr. Capovilla further stated he would like to see an updated business plan and more details of what he will be selling at the location. Dan Roszkowski suggested a layover to give the Applicant an opportunity to work with staff and get a more acceptable proposal together.

A **MOTION** was made by Dan Roszkowski to **LAYOVER** the sale of tobacco products in conjunction with a convenience store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

20-LTAB-075

Applicant
Ward 14

6363 East State Street

Gold Standard Enterprises, Inc. dba Binny's Beverage Depot
The sale of tobacco products in conjunction with a retail store in a C-2, Limited Commercial Zoning District

The applicant, Walter Fornek, was present. Mr. Fornek is the president of Gold Standard Enterprises d/b/a Binny's Beverage Depot and is requesting the sale of tobacco products at the subject property. The subject property is located on the south side of East State Street and west of South Trainer Road. Their company does not sell any vaping or cigarette products. Their company's main focus is to sell fine cigars.

Attorney Lafakeria Vaughn inquired whether the applicant reviewed the staff recommendation and agreed with the conditions. Mr. Fornek responded that he did review and agreed with all the conditions.

Staff Recommendation is for Approval with ten (10) conditions. No Objectors or Interested parties were present. No emails were read into the record.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of tobacco products in conjunction with a retail store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the humidor area as shown on the interior floor plan labeled Exhibit E.
4. The windows shall not be covered with bars or other devices that block the windows.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The hours of operation shall be limited to Monday through Saturday 9:00 a.m. to 9:00 p.m. and Sunday 10:00 a.m. to 6:00 p.m.
7. The proposed use and facility is prohibited from having any video gaming machines.
8. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
9. All outstanding general ordinance fines must be paid prior to issuance of the license.
10. All conditions must be met prior to establishment of use.

20-LTAB-076

Applicant
Ward 14

4412 Manchester Drive

JLRF, LLC dba Screw City Tavern

Modification of an existing liquor license to expand the outdoor beer garden in a C-3, General Commercial Zoning District

Attorney Jim Rodriguez was present along with the manager, Steve Moore, and Jason Nisly. The property 4412 Manchester used to be a bar that was vacant for a while, previously known as Gene's Place. The subject property is located north of Manchester Drive and south of Harrison Avenue within the Southridge Plaza shopping center. Screw City Tavern is requesting to extend the outdoor beer garden. Attorney Rodriguez directed staff to page 8 of the report as it shows an updated site plan of what the increase of the outdoor beer garden would look like. Furthermore, page 9 of the staff report shows actual photographs of the area where the beer garden would be located. Attorney Rodriguez explained their proposal is to take the fenced in area and extend it to be even with the sidewalk. This would take up three (3) parking spaces. They would install a new fence and replace the asphalt surface of the parking lot with concrete. Other than the extended beer garden space, everything in the business plan would remain the same.

Staff Recommendation is for Approval with twelve (12) conditions. No Objectors or Interested parties were present. No emails were read into the record.

Attorney Lafakeria Vaughn inquired whether the applicant reviewed the staff recommendation and agreed with the conditions. Attorney Rodriguez responded that he did review and agreed with all the conditions.

Craig Sockwell wanted clarity on how far the beer garden would be extended. He asked if the beer garden would go pass the building to the end of the sidewalk or go east and stop where the building ends. Attorney Rodriguez stated it would go east, past the pillars shown in Exhibit F, to the edge of the sidewalk. Attorney Rodriguez explained the reason for the expansion is due to the pandemic as it allows the customers to keep the social distancing requirements.

Kim Johnsen asked how many tables the beer garden currently holds and how many more will it hold with the expansion. Attorney Rodriguez stated he did not have the table count with him. Jennifer Spencer stated that initially she thought the beer garden was coming all the way out to the sidewalk edge, but it does not appear that it is. Steve Moore clarified that the table count gives enough room for social distancing, currently for three tables to seat about 12 people. The proposal to expand will allow them to have a total of 10 tables with social distancing for about 40 people. Mr. Moore further explained that the fence will be out to the sidewalk and they will also place bollards around the fence for security purposes.

The Board discussed the impact of the expansion on the sidewalk area. Mr. Sockwell stated that he is not fond of going pass the building but he can be okay with it.

A **MOTION** was made by Kim Johnsen to **APPROVE** modification of an existing liquor license to expand the outdoor beer garden in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Hours of operation are limited to seven (7) days a week 8:00 a.m. to 2:00 a.m. Hours of liquor sales are limited per the liquor ordinance.
4. Window display signage shall be limited to 20% of the window surface area.
5. There shall not be a cover charge or dance floor.

6. The proposed use shall not operate as a nightclub.
7. The sale of liquor by the drink in the proposed expanded outdoor seating area shall be limited to the area as shown on Exhibit E.
8. The windows shall not be covered with bars or other devices that block the windows.
9. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
10. All outstanding general ordinance fines must be paid prior to the issuance of the license.
11. All conditions must be met prior to establishment of use.
12. The proposed use is only allowed to have five (5) video gaming terminals.

20-LTAB-077

Applicant
Ward 11

1536 7th Street

Abigail Arreguin dba Harmony Banquet Hall LLC

The sale of liquor by the drink in conjunction with a banquet hall and restaurant in a C-4, Urban Mixed-Use District

The Applicant, Abigail Arreguin was present, along with her brother Luis Arreguin. Ms. Arreguin owns the property at 1536 7th street. It was previously owned by the Rockford Harmony Singing Society. The subject property is located on the northeast corner of 7th Street and 15th Avenue. The neighborhood is a mixture of commercial and residential uses. The property served liquor prior to their purchasing the property. Ms. Arreguin is now seeking approval for a liquor license to be able to continue to operate her banquet hall.

Attorney Lafakeria Vaughn inquired whether the applicant reviewed the staff recommendation and agreed with the conditions. Ms. Arreguin responded that she reviewed it and had a question regarding condition number 12 which states they are prohibited from having any video gaming machines. Attorney Vaughn stated that she is not allowed to have video gaming because the applicant did not request it on her application as she checked "no" on the application. It is also a standard condition for liquor licenses that do not request video gaming.

Ms. Arreguin also asked a question regarding condition number 4, because the hours of operation requested were Friday thru Sunday, 10:00 am to 1:00 am. Attorney Vaughn responded that staff recommended closing at 12:00 am (midnight), but that she can request different hours to the board. Ms. Arreguin stated she would like to request the closing time to be 1:00 am.

Staff Recommendation is for Approval with sixteen (16) conditions. No Objectors or Interested parties were present. No emails were read into the record.

Craig Sockwell asked if the property has a kitchen. Ms. Arreguin responded the property does have a kitchen.

Jennifer Spencer asked if the applicant is requesting to close at 1:00 am every night. Ms. Arreguin responded only Friday thru Sunday.

Dan Roszkowski asked staff if they are allowed to be open late on Sunday night. Attorney Vaughn responded they are allowed to be open late, they are just not allowed to start early.

Maurice Redd stated staff is recommending to close at 12:00 am instead of 1:00 am because the property is located next to a residential area. Ms. Arreguin stated she would comply with the hours because she agrees that the location is a mix of residential and commercial properties. Luis Arreguin asked what the previous hours of operation were for the property. Attorney Vaughn responded she did not know the previous hours but she knows it was a private club.

Attorney Vaughn inquired whether the applicant agrees to the other fourteen (14) conditions. Ms.

Arreguin responded she agrees with all the conditions. The Board discussed the hours of operation and agreed on closing at midnight on Friday-Sunday.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a banquet hall and restaurant in a C-4, Urban Mixed-Use District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of liquor by the drink shall be limited to submitted Exhibit E.
4. The hours of operation will be limited to 10:00 am to 7:00 pm Monday through Thursday and 10:00 am to 12:00 am (Midnight) Friday through Sunday.
5. Submittal of a revised site and landscaping plan for staff review and approval.
6. Installation of approved landscaping by November 1, 2020.
7. Removal of the railroad ties in the south parking lot and replacement with concrete curbing by November 1, 2020.
8. Install site-obscuring fencing around the east, west and south sides of the south parking lot by November 1, 2020.
9. Removal of the Harmony S.S. signs on the west and south sides of the building and removal of the marquee reader board located on the east side of the building façade.
10. Any future signage must comply with the current Ordinance.
11. Window display signage is limited to 20% of window area.
12. The proposed use and facility is prohibited from having any video gaming machines.
13. The windows shall not be covered with bars or other devices that block the windows.
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to the issuance of the license.
16. All conditions must be met prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 6:54 PM.

Respectfully submitted,
Leisha Kury, Administrative Assistant
Liquor and Tobacco Advisory Board